



Aspects of a Good Contract

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Aspects of a Good Contract

The Contract Life Cycle

- 1. Project Development – (preliminary engineering)**
- 2. Advertisement**
- 3. Execution and Construction**
- 4. Completion**

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Project Development – (preliminary engineering)

- Set “Scope” correctly
- Avoid “as directed by the engineer”
- Avoid “approvals during construction phase”
- Use “unit pricing” (vs. lump sum) whenever possible

Good Engineering is cheaper than Construction

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Project Development – (preliminary engineering) (cont.)

- Remove as much risk as possible
- Two approvals – first to advertise, second to award

Good Engineering is cheaper than Construction

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Advertisement

- Prequalification should be done prior to receipt – avoid min. experience
- Know the VA procurement code – Construction has special aspects
- Use VDOT specifications and Standards when possible and applicable
- Have a hierarchy of documents – there is a good one in the VDOT specs

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Advertisement (Cont.)

- Avoid sole source products/ proprietary products
- If you allow alternates, you must accept them in order
- Avoid token bids
- Plan to advertise at the right time of the year

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Advertisement (Cont.)

- **Buy America**
- **Davis-Bacon does not apply to non-highway work off the R/W**
- **No negotiating**
- **Advertise for not less than 21 days**
- **Revisions must be posted 10 days prior to receipt of bids**

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Execution and Construction

- Two approvals – first to advertise, second to award
- No negotiating
- Plan for inspection staff
- Document, Document, Document

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Completion

- Review lessons learned (good, bad and ugly)
- Use these lessons learned to improve the next project
- Have a ribbon cutting

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**A well thought out, well engineered,
well written contract will help you
avoid this scenario.**

Aspects of a Poor Contract



Questions?

